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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,147

03/29/2006

Guy Jozef Maria Dekkers

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

QUARTERMAN, KEVIN J

ART UNIT

PAPER NUMBER

2889

MAIL DATE

DELIVERY MODE

10/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/574,147	Applicant(s) DEKKERS ET AL.	
	Examiner Kevin Quarterman	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment and remarks received 17 July 2008 have been entered and overcome the objections to the title, the drawings, and the claims, and also overcome the rejection of claim 9 under 35 USC § 112, second paragraph, that were recited in the previous office action mailed 17 April 2008.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Gesellschaft (GB 476,836).

4. Regarding independent claim 1, Figures 1 and 2 of Gesellschaft show a discharge lamp comprising an outer bulb (20) in which a discharge vessel (1) is arranged around a longitudinal axis, the discharge vessel enclosing, in a gastight manner, a discharge space provided with an ionizable filling, the discharge vessel having a first and a second mutually opposed portion forming a first and a second leadthrough through which a first (5) and a second (4) leadthrough conductor, respectively, extend to a pair of electrodes (2, 3) arranged in the discharge space, a lamp base (8) of electrically insulating material supporting the discharge vessel via a first current supply conductor (18), having a weld with the first leadthrough conductor,

and a second current supply conductor (17) electrically connected to the second leadthrough conductor forming a respective first and a second current path to the pair of electrodes, the lamp base also supporting the outer bulb, the outer bulb enclosing the first and second current supply conductors, the outer bulb being connected to the lamp base in a gas-tight manner, the lamp base being provided with first (26) and second (25) contact members connected electrically to the respective first and second current supply conductor.

5. Regarding claim 2, Figure 1 of Gesellschaft shows the first current path having a first section extending from the first leadthrough along the longitudinal axis towards the lamp base, a second section bended away extending effectively traverse to the longitudinal axis, and a third section extending towards the first contact member.

6. Regarding claim 7, Figure 1 of Gesellschaft shows the weld of the first current supply conductor with the first leadthrough conductor being in the third section of the first current path.

7. Regarding claim 8, Figure 1 of Gesellschaft shows the weld of the first current supply conductor with the first leadthrough conductor as a butt-weld.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gesellschaft (GB 476,836) in view of Olwert (EP 0,429,256).

11. Regarding claim 9, Gesellschaft teaches the limitations of claim 2 discussed earlier but fails to exemplify the first section having a length of at least 1mm.

12. Olwert teaches that it is known in the art to provide a discharge lamp with a current path having a first section with a length of at least 1mm (pg. 4, ln. 1-3). Olwert discloses this arrangement is provided for improving the resistance of the lamp to breaking under impact stress (pg. 2, ln. 1-2).

13. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the discharge lamp of Gesellschaft with the current path structure taught by Olwert for improving the resistance of the lamp to breaking under impact stress.

Allowable Subject Matter

14. Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 3, the prior art of record neither shows or suggests a high-pressure discharge lamp comprising, in addition to other limitations of the claim, the second section of the first current path comprising two U-bends. Due to their dependency upon claim 3, claims 4-6 are also allowable.

Response to Arguments

16. Applicant's arguments filed 17 July 2008 have been fully considered but they are not persuasive.

17. In response to applicant's argument, in regards to independent claim 1, that Geselleschaft fails to teach the outer bulb enclosing the first and second current supply conductors, the Examiner respectfully disagrees. The Examiner notes that definitions of the term "enclosing" includes, amongst others, to shut or hem in; close in on all sides; to surround, as with a fence or wall; enfold completely with or as if with a covering (www.dictionary.com). Since the figures of Geselleschaft shows the outer bulb (20) shutting in or surrounding the first and second current supply conductors (17, 18), the Examiner holds that the outer bulb of Geselleschaft does indeed enclose the first and second current supply conductors, as recited in independent claim 1 of the instant application.

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (571)272-2461. The examiner can normally be reached on M-TH (7-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on (571) 272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Quarterman
Examiner
Art Unit 2889

/K. Q./
Examiner, Art Unit 2889
30 October 2008